



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

**News Media Information 202 / 418-0500**  
**Internet: <http://www.fcc.gov>**  
**TTY: 1-888-835-5322**

**DA 17-1160**  
**November 30, 2017**

## **DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF BUSH-TELL, INC.**

### **STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 17-322**

**Comments Due: December 14, 2017**

**Reply Comments Due: December 21, 2017**

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment from interested parties on an application filed by Bush-Tell, Inc. (Bush-Tell), the Estate of Harry F. Colliver, Jr. (Colliver Estate), and William Douglas DeVore (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended (Act), and sections 63.03-04 of the Commission's rules, requesting approval of an unauthorized transfer of control that occurred when Bush-Tell was transferred from the Culliver Estate to Mr. DeVore.<sup>1</sup>

Bush-Tell, an Alaska corporation, is an incumbent local exchange carrier (LEC) that serves a single Alaska study area (Study Area Code 613004) containing approximately 560 access lines in 10 village exchanges (Aniak, Anvik, Crooked Creek, Grayling, Holy Cross, Kalskag, Red Devil, Shageluk, Sleetmute, and Stony River) in the Bethel and Yukon-Koyukuk census areas of southwestern Alaska.

Harry F. Colliver wholly owned Bush-Tell prior to his death on November 24, 2015. Mr. DeVore, a U.S. citizen, has been associated with Bush-Tell since 1984 and served as Bush-Tell's

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On November 29, 2017, Applicants filed a supplement to their domestic section 214 application. Applicants also filed an application for the transfer of authorizations associated with wireless services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

On November 30, 2017, the Bureau granted the Applicants' request for special temporary authority to authorize Bush-Tell to continue providing service for 60 days pending approval of the domestic section 214 application. A grant of the application would be without prejudice to any enforcement action by the Commission for non-compliance with the Act or the Commission's rules. Letter from Gerard J. Duffy, Counsel to Estate of Harry F. Colliver, Jr. and William Douglas DeVore, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 17-322 (filed Nov. 29, 2017)

Vice President and Assistant Manager since 2009 and President of Bush-Tell's Board of Directors since 2016.

Applicants seek Commission approval for a transfer of control that occurred on October 16, 2016 when the Colliver Estate distributed 100 percent of the ownership interest in Bush-Tell to Mr. DeVore, pursuant to the terms of Mr. Colliver's will. Applicants state that no other individual or entity, besides Mr. DeVore, owns an interest of 10 percent or more of Bush-Tell and that Mr. DeVore does not hold an interest in any other telecommunications provider. Applicants request streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and assert that a grant of the application will serve the public interest, convenience, and necessity.<sup>2</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Bush-Tell, Inc.,  
WC Docket No. 17-322 (filed Nov. 21, 2017).

### **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before December 14, 2017**, and reply comments **on or before December 21, 2017**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

**In addition, e-mail one copy of each pleading to each of the following:**

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau,  
[tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 2) Gregory D. Kwan, Competition Policy Division, Wireline Competition Bureau,  
[gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov);
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov);

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period

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<sup>2</sup> 47 CFR § 63.03(b)(1)(ii).

applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

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